

REMARKS

Claims 1-22, 24, 25, 27-45 and 47-70 are pending in this application.

Claims 1-22, 27-45 and 47-68 are allowed.

By this Amendment, Applicants have amended claims 24 and 25.

Reconsideration of the above-identified application in view of the foregoing amendments and the following remarks is respectfully requested.

Rejections Under 35 U.S.C. § 112, ¶2:

Claims 24 and 25 were rejected under 35 U.S.C. § 112, ¶2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, claims 24 and 25 were identified as indefinite because they depend on cancelled claim 23. Applicants have amended claims 24 and 25 to depend from claim 20, and thus, respectfully request that the rejections be withdrawn.

Rejections Under 35 U.S.C. § 102(e) and 103:

Claims 69 and 70 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent no. 6,804,659 to Graham (“Graham”). Claims 69 and 70 also were rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 6,484,011 to Thompson et al. (“Thompson”) in view of Graham. Claim 69 is independent.

Claim 69 is directed to a method of advertising to a user of a terminal having a bistable display, comprising: storing content; storing one or more advertisements pre-identified for presentation to the user when particular content is requested; receiving a request for content from the user terminal; transmitting the requested content to the user terminal; selecting an

advertisement linked to the requested content; and transmitting the selected advertisement to the user terminal for display.

Claim 69 includes the feature of “storing content” and “storing one or more advertisements *pre-identified* for presentation to the user when particular content is requested”. See, e.g., FIGS. 3A and 3B of the instant application. Thereafter, when particular content is requested, one of the pre-identified advertisements linked to the requested content can be simply selected for transmission and display.

In contrast, in Graham, advertisements are selected for display to a user based on an analysis, apparently performed at the time content is viewed, of information such as words in a document being viewed, a user profile and an advertiser profile. Thus, the advertisements are not “pre-identified”. Thompson does not cure the deficiencies of Graham because, as noted by the Examiner, that reference also does not disclose storing advertisements that are pre-identified for presentation to the user when particular content is requested.

Accordingly, Applicants respectfully submit that claim 69 is neither anticipated by Graham nor obvious over Thompson in view of Graham.

Dependent Claims:

Applicants do not believe it necessary at this time to address the rejections of the dependent claims as Applicants believe that the foregoing arguments and amendments place the independent claims in condition for allowance. Applicants, however, reserve the right to address those rejections in the future should such a response be deemed necessary and appropriate.

* * *

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance, and an early and favorable examination on the merits is respectfully requested.

AUTHORIZATION

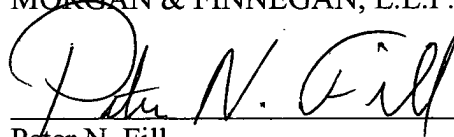
The Commissioner is hereby authorized to charge any additional fees which may be required by this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4014. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4014. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: January 3, 2006

By: _____


Peter N. Fill
Registration No. 38,876

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile